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Attorneys for Defendant

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
FRESNO DIVISION

GABRIELA LIZZET ALVAREZ,  
Plaintiff,  
v.  
LELAND DUDEK,  
Acting Commissioner of Social Security,<sup>1</sup>  
Defendant.  
)

) CIVIL NO. 1:25-cv-00045-SKO  
)

) **STIPULATION & UNOPPOSED MOTION**  
)

) **FOR VOLUNTARY REMAND**  
)

) **PURSUANT TO SENTENCE FOUR OF 42**  
)

) **U.S.C. § 405(g) AND TO ENTRY OF**  
)

) **JUDGMENT; ORDER**  
)

) **(Doc. 11)**

IT IS HEREBY STIPULATED by and between the parties, through their undersigned attorneys, and with the approval of the Court, that this action be remanded for further administrative action pursuant to the Social Security Act § 205(g), as amended, 42 U.S.C. § 405(g), sentence four. On remand, the Appeals Council will remand the case to an administrative law judge (ALJ) for a new decision. The parties further request that the Court direct the Clerk of the Court

<sup>1</sup> Leland Dudek became the Acting Commissioner of Social Security on February 16, 2025. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Leland Dudek should be substituted for Carolyn Colvin as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

to enter a final judgment in favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.

Respectfully submitted,

DATE: March 14, 2025

/s/ Jonathan Omar Peña\*  
JONATHAN OMAR PEÑA  
(\*as authorized via e-mail on March 14, 2025)  
Attorney for Plaintiff

MICHELE BECKWITH  
Acting United States Attorney

MATHEW W. PILE  
Associate General Counsel  
Office of Program Litigation, Office 7

DATE: March 14, 2025

By: /s/ Justin L. Martin  
JUSTIN L. MARTIN  
Special Assistant United States Attorney  
Office of Program Litigation, Office 7  
Attorneys for Defendant

## ORDER

Based upon the parties' Stipulation and Unopposed Motion for Voluntary Remand Pursuant to Sentence Four of 42 U.S.C. § 405(g) and to Entry of Judgment ("Stipulation to Remand") (Doc. 11), and for cause shown,

**IT IS ORDERED** that the above-captioned action is remanded to the Commissioner of Social Security for further proceedings pursuant to the Social Security Act § 205(g), as amended, 42 U.S.C. § 405(g), sentence four. On remand, the Appeals Council will remand the case to an administrative law judge for a new decision in accordance with the parties' Stipulation to Remand.

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1       The Clerk of Court shall enter a final judgment in favor of Plaintiff, and against Defendant,  
2 vacating and reversing the final decision of the Commissioner and shall close the case.

3       IT IS SO ORDERED.  
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5       Dated: March 17, 2025

*/s/ Sheila K. Oberto*  
6       UNITED STATES MAGISTRATE JUDGE

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